Approved for use through 07/31/2006. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

r the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO			Complete If Known		
			Application Number	10/727,914	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Filing Date	December 4, 2003	
			First Named Inventor	LAWRENCE K. PIERCE	
			Art Unit		
			Examiner Name	Keith Robinson	
1	of	2	Attorney Docket Number	1434-004	

Sheet

Examiner	Cito	Document Number	Publication Date	DOCUMENTS  Name of Patentee or	Pages Columns Lines Mines
Initials*	Cite No. '	Number-Kind Code <sup>2 (2 known)</sup>	MM-DD-YYYY	Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevan Figures Appear
KOR	-	US-5,523,520	06-1996	Hunsperger et al.	
KOR	1	US-5,124,505	06-1992	Orton et al.	
		-UG			
		US-			
		-US			
		US-			
		US-			
		US			
		US-			
		US-			
		US			
	<del> </del>	US-			
		-US			
	<u> </u>	US-			
	-	US-			
		US-			
		US-			
		US-			
	<del> </del>	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. 1	Foreign Patent Document  Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5(7)</sup>	Publication Date MM-DD- YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
						Ħ
						口

Examiner		Date
	/Voith Dohingon/	Date   05 /05 /0005
Signature	/Keith Robinson/	Considered   05/07/2006
		00110100100 107 117 1000

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at <a href="https://www.uspto.gov">www.uspto.gov</a> or MPEP 901.04. There Office that Issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language

This collection of information is required by 37CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Pateand Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SENDTO: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it contains a valid OM9 control number. Complete If Known Substitute for form 1449/PTO **Application Number** 10/727,914 INFORMATION DISCLOSURE Filing Date December 4, 2003 STATEMENT BY APPLICANT First Named Inventor LAWRENCE K. PIERCE Art Unit (Use as many sheets as necessary) **Examiner Name** Keith Sheet 2 Of Attorney Docket Number 1434-004

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. 1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
KOR		Browers & Orton, 1986. Biotechnology in Agriculture and Forestry, Vol. 2: Crops I, Ed. Y.P.S Bajaj. Springer-Verlag, Berlin, Heidelberg, pp. 405-420	-
KOR		McCarthy, et al., 2001. Commercial celery production in eastern North Carolina. Horticulture Information Leaflet 27, NC State University	
KOŔ		Quiros, et al., 1987. Use of stem proteins and isozymes for the identification of celery varieties. Plant Cell Reports 6:114-117	1
			_

Examiner	/77 al h h n = 1 al a a a a /	Date	
l	/Keith Robinson/		AE /AT /200C
Signature	,	Considered	05/07/2006
	<u></u>	Considered	, ,

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not

considered, include copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional). 'Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O.Box 1450, Alexandria, VA 22313-1450.